

1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 EASTERN DISTRICT OF OKLAHOMA

3 (1) JAMES D. BUCHANAN,
4 Plaintiff,

5 vs. Case No. 18-CV-171-RAW

6 (1) TURN KEY HEALTH CLINICS, LLC.;
7 (2) ROB FRAZIER, in his official capacity
8 as Muskoe County Sheriff;
9 (3) BOARD OF COUNTY COMMISSIONERS OF
10 MUSKOGEE COUNTY, OKLAHOMA;
11 (4) DR. COOPER; and,
12 (5) KATIE McCULLAR, LPN,

13 Defendants.

14 VIDEO DEPOSITION OF RYAN WADE HAMIL
15 TAKEN ON BEHALF OF THE DEFENDANTS
16 ON MAY 2, 2019, BEGINNING AT 11:09 A.M.
17 IN MUSKOGEE, OKLAHOMA

18 APPEARANCES

19
20 On behalf of the PLAINTIFF:

21 Bryon Helm
22 Sterling Sims
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REPORTED BY: SUSAN K. McGUIRE, CSR, RPR

1 shadowed the tower operator.

2 Q. And by shadowing you mean you followed them,
3 saw how they did the job, and is that what you're
4 saying?

5 A. Yes.

6 MR. HELM: Object to the form.

7 Q. (BY MR. ARTUS) What do you remember about
8 James Buchanan?

9 A. I only ever remember having one interaction
10 with him, it would have been for the 4th and that is
11 whenever -- whenever we were doing -- so we'd pulled
12 inmates out of the cell to go see the Turn Key medical
13 provider and I remember calling for his name, I didn't
14 know who he was at the time, and I'd already pulled
15 the other inmates out and the door started closing. I
16 stopped -- stopped him from coming through the door, I
17 didn't know who he was. Pushed him back through the
18 door. Allowed the door to close. Reopened the door,
19 pulled him back out. Took him to Turn Key medical.
20 That's the only interaction I've had with him.

21 Q. So you remember taking him to medical on
22 November 4th?

23 A. Yes.

24 Q. Of 2016?

25 A. Yes.

1 was in the medical area?

2 A. They normally go to a back room, I don't
3 really sit back there, I stay in the main area and
4 watch the other inmates.

5 Q. Okay.

6 A. I'm not exactly sure what happened.

7 Q. Was he able to walk at that time?

8 A. Yes, he did walk.

9 MR. HELM: Object to the form.

10 Q. (BY MR. ARTUS) Could he use both of his
11 arms at that time?

12 MR. HELM: Object to the form.

13 THE WITNESS: I didn't really see him
14 grabbing or moving anything, so I can't say for
15 certain.

16 Q. (BY MR. ARTUS) Can't say one way or the
17 other?

18 A. Yeah.

19 Q. Other than that, do you remember any
20 interaction with James Buchanan during your time at
21 the Muskogee County Detention Center?

22 A. No.

23 Q. All these days we've gone through,
24 Defendant's 1 through, or 2 through 10, any of those
25 other days do you ever remember James Buchanan?

1 A. I do not.

2 Q. Do you ever remember him or anybody on his
3 behalf asking you or anyone in your presence that he
4 needed to see medical or he was having trouble with
5 his arms or his legs?

6 A. No.

7 MR. HELM: Object to the form.

8 Q. (BY MR. ARTUS) Do you remember any inmate
9 who was paralyzed or couldn't use his arms while you
10 were in -- while you were working at the jail during
11 these times?

12 A. No.

13 Q. Do you remember any inmate calling up to you
14 while you were in the tower asking you to get help for
15 an inmate who couldn't use his arms or his legs?

16 A. No.

17 Q. What was the policy at the jail if an inmate
18 needed medical care?

19 A. To provide medical care.

20 Q. Would you contact someone from Turn Key
21 medical if somebody needed medical care or you thought
22 somebody needed medical care?

23 A. Yes.

24 MR. HELM: Object to the form.

25 Q. (BY MR. ARTUS) If you thought an inmate was

1 in, had a serious medical condition or was suffering
2 would you just let him suffer?

3 A. No.

4 Q. Was it against policy to not let an inmate
5 get medical care?

6 A. Yes.

7 Q. So that would have been a violation of
8 policy?

9 A. Yes.

10 Q. So it would have been against jail policy to
11 deny an inmate medical care if you thought or that he
12 or she needed medical care?

13 A. Yes.

14 Q. Did you while you were working at the jail
15 or the detention center, did you ever see any other
16 jailers disregard an inmate's medical needs?

17 A. No.

18 Q. Was it a custom at the jail to ignore
19 inmates when they said they needed to see medical?

20 MR. HELM: Object to the form.

21 THE WITNESS: No.

22 Q. (BY MR. ARTUS) Was it against jail policy
23 to ignore an inmate who said he needed medical care?

24 A. Yes.

25 Q. Did you ever see anyone from Turn Key staff,

1 their nurses, doctors, anybody who worked for Turn Key
2 ignore inmates' medical needs?

3 A. No.

4 Q. Do you remember any of the nurses coming
5 in to do medical pass while you worked at the jail?

6 A. Yes.

7 Q. Would they come in to pass medical, when
8 would they come in and do that?

9 A. In the mornings and afternoons. So they'd
10 come and bring the medicine, whatever they needed.

11 Q. And would they have to stand there and give
12 the medicine to the inmates or do they just give it
13 and leave?

14 MR. HELM: Object to the form.

15 THE WITNESS: They would have to stand there
16 and give it to them.

17 Q. (BY MR. ARTUS) There has been some
18 testimony in this lawsuit, we've taken some
19 depositions like we're doing here today, we've taken
20 the plaintiff's deposition, James Buchanan, and he has
21 testified that he would tell anybody that he could see
22 that he needed to see the medical. Do you ever recall
23 him telling you that he needed to see medical?

24 A. No.

25 MR. HELM: Object to the form.

1 Q. (BY MR. ARTUS) There's -- do you recall any
2 inmates ever talking, saying, telling you that James
3 Buchanan needed medical?

4 A. No.

5 MR. HELM: Object to the form.

6 Q. (BY MR. ARTUS) When you're working in the
7 tower and an inmate hits the intercom button, is there
8 an intercom button in cell block one?

9 A. Yes.

10 Q. And would that -- where does that, if they
11 push that button to talk to someone, who would they be
12 talking to?

13 A. They'd be talking to me.

14 Q. In the tower?

15 A. Yes, they'd be talking to tower.

16 Q. So any day you were working in the tower --
17 and you were working during the days or the nights?

18 A. Days.

19 Q. Okay. Always the day?

20 A. No, I did work nights while I worked at the
21 jail.

22 Q. Okay. Did you ever -- so if somebody, if
23 you were working in the tower and somebody was to buzz
24 up to the tower requesting something they would be
25 talking to you; is that right?

1 in the deposition you believed you weren't working the
2 5th and another point you believed you were working
3 the 5th?

4 A. Yeah.

5 Q. Would you agree that the most, you know,
6 reliable way to find that information would just be to
7 look at the time sheets from the jail?

8 A. Yes.

9 MR. HELM: Thanks for coming down. And no
10 more questions at this time.

11 MR. ARTUS: I just have a few follow-up
12 questions.

13 REDIRECT EXAMINATION

14 BY MR. ARTUS:

15 Q. The north tower, when you're working in the
16 north tower, does the north tower look in on cell
17 block 1? Let me show you what I'm marking as
18 Defendant's Exhibit 11, this is a north tower total
19 count sheet dated November 7th, 2016. Do you see
20 that?

21 A. Yes.

22 Q. And in it it shows Buchanan is in cell block
23 1?

24 A. Yes, so north tower can see in to cell block
25 1, yes.

1 Q. Okay. So whenever you're working in the
2 north tower one of the things you're observing is cell
3 block 1?

4 A. Yes.

5 MR. HELM: Object to the form.

6 Q. (BY MR. ARTUS) With regard to your uncle
7 you said he worked for the City of Muskogee; is that
8 correct?

9 A. Yes.

10 Q. That's not the county though; right?

11 MR. HELM: Object to the form.

12 THE WITNESS: Yes.

13 Q. (BY MR. ARTUS) You agree with that?

14 A. Yeah.

15 Q. At pill pass you mentioned that there would
16 be -- inmates could talk to the nurses at that time?

17 A. Yes.

18 Q. So there was a time if an inmate had a
19 problem or needed additional help or some issue, at
20 that time the inmate could tell the nurse of any
21 problems; is that correct?

22 A. Yes.

23 MR. HELM: Object to the form.

24 Q. (BY MR. ARTUS) When you -- you said you
25 recalled James Buchanan and taking him to medical on